

## **REMARKS**

Reconsideration of this application, as amended, is requested.

Claims 2, 4, 5 and 8 remain in the application. Claims 1, 3, 6, 7 and 9 have been canceled. Claim 4 has been amended to incorporate limitations similar to the limitations that were presented in original claim 6. Claim 2 has been amended to depend from claim 4. Claims 5 and 8 remain in the application and have not been amended.

The Examiner raised formal objections to claim 4 and required appropriate correction.

The Examiner's careful reading of the claims is appreciated. Claim 4 has been amended in accordance with the helpful advice offered by the Examiner.

Claims 1-9 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner asserted that the term "communications terminal" is too broad, and referred to MPEP § 2173.05(d) to support the rejection. However, MPEP § 2173.05(d) refers to exemplary language used in a claim ("for example", "such as"). It is respectfully submitted the claims of the instant application do not use exemplary language for the term "communications terminal". The term "communications terminal" is supported by the description in at least paragraph 0022 of the specification where examples are provided in accordance with MPEP § 2173.05(d): "Description of examples or preferences is properly set forth in the specification rather than the claims". It is respectfully submitted the rejection based on the use of the term "communications terminal" be withdrawn.

Similarly, the Examiner concluded that the term "image forming apparatus" is too broad. The Examiner asserted the "term 'image forming apparatus' is not defined by the claims, and the specification only recites 'a printer incorporated in the image forming apparatus'". To the contrary, claim 4 does define the "image forming apparatus" and recites that "the image forming apparatus includes: an accepting unit that accepts input of the document ID by the user; a transmitting unit that transmits said document ID to the server; a receiving unit that receives the print data from the server; and an outputting unit that prints out the received print data". It is submitted with respect that "image forming apparatus" is defined clearly by the elements of the claim and hence is supported by the specification. Furthermore, "image forming apparatus" is a term of art used widely in the patent literature, including paragraph 0002 of this application. Accordingly, the rejection based on the use of the term "image forming apparatus" should be withdrawn. Alternatively, the Examiner should specifically point to a section of the MPEP that precludes the use of a broad term in a claim, where the claim recites constituent parts of the claimed element and where the specification describes those parts in detail.

The Examiner also asserted that the term "various data" is too broad.

Here, counsel agrees with the Examiner in principle. However, "various data" is problematic because it is indefinite, not because it is too broad. Claim 4 has been amended to read "print data and document ID" in accordance with the Examiner's helpful suggestion. It is respectfully submitted this rejection has been overcome by the more definite terms "print data and document ID".

Claims 1-9 were rejected under 35 USC 103(a) as being unpatentable over Aoki, Publication No. 2002/0041394 (hereinafter Aoki), in view of Rosen, Patent No.

6,205,436 (hereinafter Rosen) and Kawan, Patent No. 6,442,532 (hereinafter Kawan) as set forth on pages 4-11 of the office action dated August 22, 2007.

As noted above, independent claim 4 has been amended to incorporate the limitations of claim 6 and to define the invention more clearly. With respect to original claim 6, the Examiner admits Aoki does not disclose the limitations of claim 6, "wherein the data sending/receiving unit of the server is operative to communicate various data with the communications terminal or the accounting control device, and to send the print data to the image forming apparatus in response to receiving, from the communications terminal or from the accounting control device, a notification notifying that a certain amount of electronic money equivalent to the price of the print data is subtracted in the communications terminal". The Examiner, however, asserted that "Rosen teaches a system where the terminal and server are both notified of a successful completion of payment (see Abstract)". The Examiner concluded that the skilled artisan would combine this aspect of Rosen with Aoki, and that the hypothetical combination would suggest the subject matter of original claim 6.

Amended claim 4 is directed to a wide area network printing system including, inter alia, an accounting control device, a communications terminal, a server and an image forming apparatus, "whereby the data sending/receiving unit of the server is operative to communicate with the communications terminal, and it reads out the print data identified by the document ID from the print data storing unit, and sends the print data to the image forming apparatus in response to receiving from the communications terminal a notification notifying that a certain amount of electronic money equivalent to the price of the print data is subtracted in the communications terminal when the document ID is

received from the transmitting unit of the image forming apparatus” (Emphasis added). According to the system of amended claim 4, control of transmitting print data is executed not only in a case where a notification notifying that a certain amount of electronic money equivalent to the price of the print data is subtracted in the communication terminal but also in the case where the notification is received from the communications terminal. The references cited by the Examiner indicate that settlement information is obtained from a server, for example, an accounting control device, and not a communications terminal. The references do not disclose transmission of print data to the image forming apparatus in response to confirming of settlement with a user’s communication terminal device and receiving from the communications terminal device “a notification notifying that a certain amount of electronic money equivalent to the price of the print data is subtracted in the communications terminal”. In this manner, the communications terminal of the amended claim 4 acts similar to a prepaid card, however “[s]ince a memory provided in the portable telephone 7 can be used as the electronic money storing section 701, data can be rewritten an unlimited number of times. This arrangement is economically advantageous, compared with the conventional art of using the prepaid card in which the history of use is recorded on the backside of the card, and the card is discarded after the prepaid amount is used up” (see paragraph 0073 of the instant application). In contrast, Rosen is directed to an open electronic commerce system which requires money to be exchanged between money modules, as opposed to being debited down or “subtracted in the communications terminal”. Accordingly, it is submitted that amended claim 4 is patentable over the Aoki, Rosen or Kawan alone or in any combination.

Claims 2, 5 and 8 all depend from amended claim 4 and are patentable for at least the reasons set forth above.

In view of the preceding amendments and remarks, it is submitted that the claims remaining in the application are directed to patentable subject matter and allowance is solicited. The Examiner is urged to contact applicants' attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



Gerald E. Hespos, Esq.

Atty. Reg. No. 30,066

Customer No. 001218

CASELLA & HESPOS LLP

274 Madison Avenue - Suite 1703

New York, NY 10016

Tel. (212) 725-2450

Fax (212) 725-2452

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